

TRANSFER OF CITIZENS AND FORMER CITIZENS BETWEEN ARMED FORCES

*Exchange of notes at Ottawa March 18 and 20, 1942
Entered into force March 20, 1942*

56 Stat. 1455; Executive Agreement Series 245

The American Minister to the Secretary of State for External Affairs

LEGATION OF THE
UNITED STATES OF AMERICA
Ottawa, Canada, March 18, 1942

No. 629

SIR:

With reference to conversations that have recently taken place among the competent officials of the United States and the Canadian Governments concerning the proposed transfer to the Armed Forces of the United States of certain American citizens now serving in the Naval, Military, or Air Forces of Canada, I have the honor to propose that an agreement be entered into between the two Governments as follows:

I. FORCES WITHIN CANADA

1. The appropriate Canadian and United States authorities shall prepare a statement of the conditions of transfer and thereafter, as soon as possible, but not later than April 6, 1942, the appropriate Canadian authorities shall inform all United States citizens and former United States citizens who have lost their citizenship as a result of having taken an oath of allegiance on enlistment in the Naval, Military or Air Forces of Canada, and who are now serving in these Forces in Canada, that they have an opportunity prior to and not after April 20, 1942, to apply for appointment or enlistment in the United States Armed Forces. Personnel making such applications may withdraw them at any time prior to appointment or enlistment in the United States Armed Forces.

2. The United States War and Navy Departments shall furnish National Defence Headquarters, Ottawa, information governing the conditions of service in the United States Armed Forces, which information shall be communicated by National Defence Headquarters to all concerned.

3. National Defence Headquarters, Ottawa, shall send nominal rolls of the applicants to the War or Navy Department of the United States.

4. The United States War and Navy Departments shall appoint Boards to come to Canada to interview applicants with full power to appoint or to enlist them in the United States Forces.

5. The Naval, Military and Air Forces of Canada shall set up Boards empowered to authorize resignations and discharge of the applicants accepted by the United States Forces.

6. The Canadian Board shall be empowered to postpone transfers if in their opinion immediate transfer would prejudicially affect the common war effort.

7. Medical examinations, resignations and discharges from the Naval, Military or Air Forces of Canada, and immediate appointment or enlistment in the United States Forces, shall take place at joint meetings of the United States and Canadian Boards.

8. The United States Board will issue the necessary travel and meal vouchers to the appropriate assembly points in the United States to the accepted applicants. Accepted applicants shall be permitted to wear Canadian badges and uniform until such time as they arrive at the assembly point in the United States and are equipped with United States uniform. The United States Armed Forces will return all public clothing, arms and equipment of such accepted applicants to points in Canada to be designated.

9. Sentences of detention of selected applicants will be remitted at the request of the United States Board.

10. Except with the authority of National Defence Headquarters applicants for appointment or enlistment in the United States Armed Forces shall not be discharged from the Naval, Military or Air Forces of Canada until their application has been heard by the United States Board in accordance with the proposed plan.

II. FORCES OUTSIDE CANADA

1. The rules which apply to the above mentioned persons serving within Canada will apply without change to those serving in the Canadian Forces in Newfoundland and Jamaica. If despite all efforts notifications to United States citizens and former United States citizens serving in Newfoundland or Jamaica are not deliverable before April 6, 1942, the option to apply for transfer will be exercisable for fifteen days after the receipt of the notification.

2. The rules which apply to the above mentioned persons serving within Canada will apply without change to those serving outside of Canada, Newfoundland and Jamaica except that:

(a) The transfer will not ordinarily be made until the individual can be transferred to a United States unit serving in the area in which he is located, and

(b) The option to apply for transfer will be exercisable within fifteen days after notice of the right to exercise it has appeared in the orders of the unit with which he is serving.

3. Representatives of Canada and of the United States will discuss with the authorities of Great Britain the transfer to the United States Forces of Royal Canadian Air Force personnel now serving in the Royal Air Force whose transfer might affect the efficiency of the Royal Air Force.

III. UNITED STATES FORCES

1. The United States will accord the same right of transfer to Canadian citizens now serving in the United States Forces as is accorded United States citizens serving in the Canadian Forces.

In submitting the foregoing proposal, I may add that if an agreement in this sense is acceptable to the Canadian Government, this note and your reply thereto accepting the terms outlined shall be regarded as placing on record the understanding arrived at between the two Governments concerning this matter.

Accept, Sir, the renewed assurances of my highest consideration.

PIERREPONT MOFFAT
American Minister

The Right Honorable
THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
Ottawa.

The Secretary of State for External Affairs to the American Minister

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

No. 33

OTTAWA, *March 20, 1942*

SIR,

I have the honour to refer to your Note of March 18, 1942, No. 629, proposing an agreement between the Governments of Canada and of the United States concerning the transfer to the Armed Forces of the United States of certain United States citizens and former United States citizens now serving in the Naval, Military or Air Forces of Canada.

I am glad to inform you in reply that the Canadian Government undertakes to give effect to the agreement set forth in your Note.

Accept, Sir, the renewed assurances of my highest consideration.

W. L. MACKENZIE KING
*Secretary of State
for External Affairs*

THE UNITED STATES MINISTER TO CANADA,
*Legation of the United States of America,
Ottawa, Canada.*